

Senate Watch

A summary of today's Senate actions;
published daily when the Senate is in session.



6/18/08

THIRD READING

[SB 494](#)

(Gilbert)

The bill (S-1) would amend the Michigan Transportation Fund law to permit the Michigan Department of Transportation (MDOT), in conducting a life-cycle cost analysis of a paving material, to use comparable historical data from other states if no Michigan data were available. The law requires MDOT to develop and implement a life-cycle cost analysis for each product for which total pavement costs exceed \$1.0 million, funded in whole or in part with State funds. The Department must design and award paving projects using materials with the lowest life-cycle cost. The life-cycle costs must compare equivalent designs and be based on Michigan's actual historic project maintenance, repair, and resurfacing schedules and costs as recorded by the pavement management system, and must include estimates of user costs throughout the entire pavement life. Under the bill, for pavement projects for which there were no Michigan actual historic project maintenance, repair, and resurfacing schedules and costs as recorded by the pavement management system, MDOT could use actual historical and comparable data for equivalent designs from states with similar climates, soil structures, or vehicle traffic. The bill includes a statement of legislative intent "that this amendatory act provide the department with the necessary flexibility to utilize pavement designs which have not been used in Michigan but had been used successfully in other states".

- SB 494 was passed [RC 405: 37 yes, 0 no, 1 excused]

[SB 1318](#)

(Allen)

The bill would amend the Michigan Transportation Fund law to create the Road Jurisdiction Task Force to review the current system of road jurisdiction and make recommendations on jurisdictional transfers.

The task force would consist of the following five members:

- A representative of the Michigan Department of Transportation (MDOT).
- A representative of local government, selected by the Michigan Municipal League.
- A representative of county road associations, selected by the County Road Association of

Michigan.

-- One member selected by the Senate Majority Leader.

-- One member selected by the Speaker of the House of Representatives.

Members would have to be appointed within 30 days after the bill's effective date. The task force would have to review the current system of road jurisdiction, identify issues associated with the transfer of road jurisdiction between road authorities, cities, and villages, and make recommendations on jurisdictional transfers of roads between road authorities, cities, and villages. The Department would have to provide qualified assistance, including technical oversight and qualified staff, that the task force deemed necessary. Within one year after the bill's effective date, the task force would have to report to the State Transportation Commission, the Senate and House Appropriations Committees, and the Senate and House Transportation Committees.

- SB 1318 was passed [RC 406: 37 yes, 0 no, 1 excused]

SB 1253

(Pappageorge)

The bill would amend Public Act 20 of 1943, which pertains to the investment of surplus funds of public corporations, to authorize the governing body of a public corporation that had a special revenue fund consisting of payments for park operations and maintenance, by resolution, to provide its investment officer with the same authority to invest the assets of the special revenue fund as is granted an investment fiduciary under the Public Employee Retirement System Investment Act. The bill would apply notwithstanding any law or charter provision to the contrary.

- SB 1253 was passed [RC 407: 37 yes, 0 no, 1 excused]

GENERAL ORDERS

SB 1167

(Patterson)

The bill would amend the Public Health Code to do the following:

-- Specify that practice as a physical therapist assistant would be a health profession subfield of the practice of physical therapy.

-- Require a person to be licensed in order to practice as a physical therapist assistant.

-- Require the Board of Physical Therapy to establish standards regarding the qualifications of physical therapist assistants.

-- Establish examination requirements for physical therapist assistants.

-- Establish the responsibilities of a physical therapist supervising a physical therapist assistant, and allow the delegation of services.

-- Require the Department of Community Health (DCH), by rule, to establish professional development requirements for physical therapists and physical therapist assistants.

-- Require the DCH, by rule, to establish standards of ethics, practice, and supervision for the practice of physical therapy.

-- Increase the annual license fee for physical therapists from \$50 to \$90, and extend the fee to

physical therapist assistants.

-- Create the "Physical Therapist Professional Fund" and dedicate 10% of annual license fee revenue to it.

-- Require the Board of Physical Therapy to determine whether an applicant met the requirements for licensure under Part 178 (Physical Therapy).

-- Add a physical therapist assistant to the Board and reduce the public members by one.

- Committee substitute S-2 adopted
- SB 1167 advanced to 3rd Reading

SB 1309

(Richardville)

Senate Bill 1309 would amend the Michigan Business Tax (MBT) Act to allow dentists to claim a credit against the tax for the cost purchasing and installing a dental amalgam separator or \$3,000, whichever was less, for each separator purchased and installed during a tax year.

- SB 1309 advanced to 3rd Reading

SB 1310

(Richardville)

Senate Bill 1310 would amend the Public Health Code to do the following:

-- Require dentists to install dental amalgam separators on wastewater drains. -- Require the Michigan Board of Dentistry to promulgate rules regarding dental amalgam collection, disposal, and recycling, and the retention and inspection of related dental records. -- Prohibit a local unit of government from enacting, adopting, or enforcing a conflicting, additional, or different ordinance or regulation.

- SB 1310 advanced to 3rd Reading

SB 880

(McManus)

Senate Bill 880 (S-1) would amend the Use Tax Act, and Senate Bill 881 (S-1) would amend the General Sales Tax Act, to exempt from the tax property sold to an extractive operator, or the sale of tangible personal property to an extractive operator, for transporting timber from the point of extraction to a place of temporary storage at the extraction site and loading or transporting timber from a place of temporary storage at the extraction site to a vehicle or other equipment located at the extraction site that would remove the timber from the extraction site. Currently, the Use Tax Act exempts tangible personal property sold to, and the General Sales Tax Act exempts the sale of tangible personal property to, an extractive operator for use or consumption in extractive operations. The bills would amend the Acts' definition of "extractive operations" to include the activities described above.

- Committee substitute S-1 was adopted
- SB 880 advanced to 3rd Reading

SB 881

(McManus)

- Committee substitute S-1 was adopted
- SB 881 advanced to 3rd Reading

SB 1380

(Allen)

The bill would amend Chapter 8a (21st Century Investment Programs and Activities) of the Michigan Strategic Fund Act to do all of the following:

- Allow the Michigan Strategic Fund (MSF) to create and operate a Centers of Energy Excellence Program to promote the development, acceleration, and sustainability of "energy excellence sectors" in Michigan.
- Allow the MSF board to enter into agreements with "qualified entities" for the designation and operation of a center of energy excellence.
- Allow the MSF board to spend up to \$45.0 million from the 21st Century Jobs Trust Fund appropriations on the Centers of Energy Excellence Program.
- Allow grants for the Program to be awarded only to for-profit companies for certain purposes.
- Require at least 50% of the funds allocated for the Program to be used to match foundation funding, Federal funding, or international investments.
- Prohibit more than 15% of any grant from being used for administrative costs or overhead.
- Require the MSF board to establish an application evaluation process and appoint a committee to assist in reviewing applications.
- Specify factors the MSF board would have to consider in determining whether to enter into an agreement with a qualified entity.
- Specify information that an agreement would have to include.
- Allow the MSF board to select a centers manager to assist in the administration of the Program.
- Specify the centers manager's responsibilities.
- Reduce the minimum expenditure the commercialization board must authorize in fiscal year (FY) 2008-09 through FY 2011-12 for competitive edge technology grants and loans.
- Prohibit the MSF or its board from appointing any person to a review committee if he or she had a conflict of interest with any potential vendor.

"Energy excellence sectors" would mean new and developing industry sectors in the energy field in Michigan where the MSF has determined the State has a competitive advantage and there are barriers to the commercialization of technology within the new and developing industry sector.

"Energy field" would mean alternative energy technology, energy efficiency technology, technologies that contribute to energy security and independence, other advanced energy technologies, or water technology related to the development of energy excellence sectors.

- SB 1380 discharged from committee
- Committee substitute S-1 was adopted
- SB 1380 advanced to 3rd Reading

RESOLUTIONS

SR 177

(Hardiman)

Supporting the construction of a replacement rail tunnel between Detroit and Windsor.

- SR 177 was adopted

SR 194

(Cropsey)

Urges Congress to reauthorize transportation funding with appropriate recognition of the importance of the Great Lakes' infrastructure to the nation's economy.

- SR 194 was adopted